

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: Oldham Metropolitan Borough Council ("the Council")

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land at Dean Head, Diggle, Oldham shown edged red on the attached plan ("the Land").

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, change of use of the Land to use for the taking off, landing and stationing of helicopters.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years. The use is seriously detrimental to the amenities of the occupants of nearby residents' properties by virtue of noise and disturbance. In addition, the use of the Land for the taking off, landing and stationing of helicopters is harmful to the character and appearance of the surrounding area, which is designated as Green Belt. The said use constitutes inappropriate development in the Green Belt and is contrary to Policy OE1 and OE1.1 of the Council's Unitary Development Plan 2006.

The Council does not consider that planning permission should be given, because planning conditions could not overcome the inappropriateness of the development or the harm caused to amenity and the character and appearance of the surrounding area.

5. **WHAT YOU ARE REQUIRED TO DO**

Permanently cease the use of the land for the taking off, landing and stationing of helicopters.

6. TIME FOR COMPLIANCE

Within 6 months of the date on which the notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 1st March 2009, unless an appeal is made against it beforehand.

Dated: 16th January 2009

Signed:



**For Director of Legal and Democratic Services
Council's authorised Officer**

On behalf of: Oldham Metropolitan Borough Council
Civic Centre
West Street
Oldham
OL1 1UL

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the notice. The enclosed booklet "Making Your Enforcement Appeal" sets out your rights, the grounds of appeal and the procedure to be followed. Read it carefully.

You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal, one is for you to keep as a duplicate for your own records and one is to be forwarded to the Council. You should also send the Secretary of State the spare copy of this enforcement notice which is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

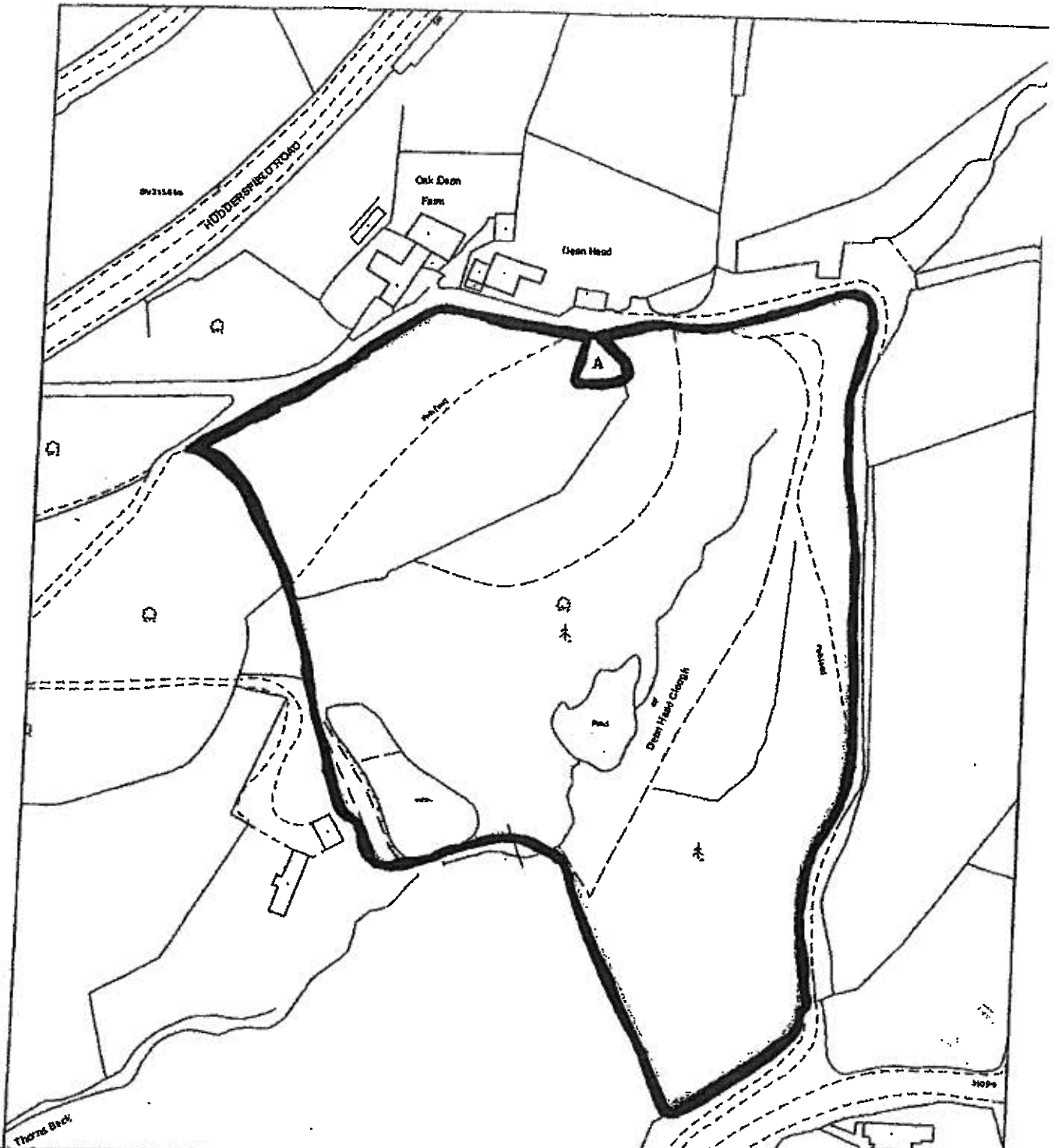
If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of this notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

IMPORTANT ADDITIONAL INFORMATION

The fee for the deemed planning permission application is £335, half of which is payable to the Council and half to the Department for Communities and Local Government. There is no fee for the appeal itself.

A copy of this Enforcement Notice has been served on the following persons:

Peter Milner of 195 Park Lane, Poynton, Cheshire, SK12 1RH
Joan Noonan of Peart Hall, Church Road, Spaxton, Bridgewater, Somerset. TA5 1DA
Christopher John Ruddy of Oakdene Farm, Stanedge, Saddleworth, Oldham OL3 5LU
Pennine Helicopters Limited, Oakdene Farm, Stanedge, Saddleworth, Oldham OL3 5LU



Plan referred to in the Enforcement Notice dated 16th January 2009

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For Director of Legal and Democratic Services

PLANNING ENFORCEMENT NOTICE

UNAUTHORISED USE OF LAND FOR STATIONING/ TAKING OFF/
LANDING OF HELICOPTER

LAND AT DEAN HEAD, DIGGLE

A= Excluded from Enforcement Notice by virtue of Certificate of Lawfulness CL/054178/08

1:1500

SE0009SE

07/03/2007

OLDHAM 
Metropolitan Borough

Environmental Services

Acting Executive Director: John Hurst MCIEM

Civic Centre PO Box 30 West Street Oldham OL1 1UD